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David Andrew D'Zmura
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November 2, 2004

Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

Attn: Group Art Unit 2143

by USPS Express Mail, Label ER 896351095US

Re: My Patent Application, Number 09/489,739
Sole Inventor: David Andrew D'Zmura (pro-se independent inventor)
Sole Applicant: David Andrew D'Zmura (pro-se independent inventor)
Sole Owner: David Andrew D'Zmura (pro-se independent inventor)
Filing Date: January 21, 2000
Title: Valuation Technologies and Related Applications
Examiner: Mr. Jeffrey Pwu
Group Art Unit: 2143

Response to Office Action

Dear Examiner Pwu:

I am in receipt of your Detailed Action of October 2004, which you provided to me by fax on October 25, 2004. To date, I have not received a mailing of this Action, or any recent mailing concerning my patent application #09/489,739. I am responding to your Detailed Action, based on the fax and on our telephone conversation following thereon in the last week of October.

In your Detailed Action, you write that the Claims 52-61 are allowed, but that the Claims 62 and 63 are not allowed as being unpatentable over Makivic (U. S. 6,061,662). You write further that the nature of your Office Action is Final, with a shortened statutory period for reply. Consequently, I respond by retaining the allowed Claims 52-61, and by canceling the rejected Claims 62 and 63. I do this so as to pursue and facilitate the issuance of this application as a patent containing the allowed claim set. However, I do not agree with your assertion that Makivic discloses the subject matter of my Claims 62 and 63. Hence, I provide detail of my point of view.

This Response contains three enclosures. First, an Amendment to the Claims, wherein I retain the allowed Claims 52-61 and cancel the rejected Claims 62 and 63. Second, a detailed brief addressing Makivic as not disclosing the subject matter of my Claims 62 and 63. Third, a substitute Declaration for my Application #09/489,739, to be used in any future issuance thereof.

Sincerely,


David Andrew D'Zmura

(pro-se independent inventor)

enc. (includes personal check \$65, for Replacement Declaration, and Fee Transmittal Form SB/17)